

### **REMARKS**

This amendment is responsive to the Office Action of April 14, 2010. Reexamination and reconsideration of the application are respectfully requested.

#### **The Office Action**

**Claims 1 and 2** stand rejected under 35 USC §112, second paragraph.

**Claim 1** stands rejected under 35 USC §102(b) as being anticipated by Withjack (US Patent No. 4,421,943).

**Claims 1 and 2** stand rejected under 35 USC §102(b) as being anticipated by Pas (WO 03/008803 A1).

**Claims 1 and 2** stand rejected under 35 USC §102(b) as being anticipated by Niederer (WO 03/031341 A1).

#### **Election/Restriction**

The Examiner canceled **claims 3–10**. The Examiner stated that originally filed **claim 4** depended on **claim 3** and, therefore, was canceled. However, Applicant respectfully notes that **claim 4** originally depended from any of the preceding claims (including **claims 1–3**). In addition, **claims 1, 2, and 4** (including **claim 3**, which originally depended from **claim 4**) read on the elected species.

#### **35 USC §112**

**Claim 1** has been amended to overcome the rejections set forth under 35 USC §112, second paragraph. More specifically, **claim 1** has been amended to correct the

antecedent basis for the limitations noted by the Examiner in the Office Action. Therefore, all claims now meet the statutory requirements of 35 USC §112.

**The Claims of the Present Application Distinguish Over the Cited References**

**Claim 1** recites a box type profile frame. Openable solar panels, forming a box, are swivable into a plane of the upper side of the box so a cross-shaped arrangement of the solar panels is formed that may tilt about a horizontal axis on the profile frame. A box type profile frame arranged on its top side, as seen from above, a further square, box type frame, which contains a further solar panel and is connected to one top side of the box type profile frame so that the further solar panel may be swiveled about a horizontal axis. On all sides of the square-at-top frame are connected, in a swiveling way, respective peripheral square frames each of same size and each containing a solar panel, so that a cube is formed from the five square frames when the five square frames are swiveled downwards, and that the peripherally connected square frames may be swiveled in the plane of the central square frame and can be locked against the central square frame in the swiveled condition.

This design recited in **claim 1** provides required stability in strong winds for tilted cross-shaped panels.

Paragraphs 6 and 7 of the present application state:

[T]here is a need for finding a supply unit for electric power and water, which works noiselessly, reliably, maintenance free, odor free and efficiently, and can be operated by renewable energies. Such a supply unit also must be compact, light and mobile so that it can be transported, without much problem, by land, by water and by air to any desired place of use. This supply unit must be simple to operate and, according to the actual demand, should be quickly adaptable to the local need. It should be able to meet the demand for electric power as well as drinking water, as long as water in the surrounding area is available in the form of ground water or a stretch of standing or flowing water. It must also be able to purify the water to the quality of potable water. Finally, one should be

able to manufacture it economically so that it can be used by a large number of people in places, where they live permanently or make a temporary stopover and where no power is otherwise available, the unit being so cost-effective to procure and operate that people can afford it.

It is therefore an objective of the present invention to create a supply unit for electric power and water derived from renewable energies, which satisfies the above criteria (as described in the application) and meets the electric power and water requirements of an average 4-head family and, to this end, can provide for an average daily amount of energy of at least 25 kWh, out of which a part is set aside for pumping water and its purification to potable water.

Therefore, the supply unit for electrical power and water must compact, simple to operate, meet the demands for electric power as well as drinking water, and be capable of being manufactured economically.

Withjack discloses a transportable energy station. However, the energy station disclosed by Withjack cannot provide for the demand of water and electrical power at the same time—the device of Withjack is only good for providing electrical power. It cannot pump water nor purify dirty water in order to provide drinking water when needed, or if electrical power AND drinking water is needed at the same time. For example, for remote areas where there is no electrical power nor drinking water supply and in areas where no skilled people are available for the operation of complicated devices, the device disclosed in Withjack is not suitable. It cannot simply be put there and taken into operation for providing electrical power and/or drinking water, depending on the actual need, even if here is only dirty water in a nearby pond or in a deep well. It is not a kind of all-in-one solution as recited in the present application and, therefore, does not solve the problems outlined. In addition, Withjack fails to disclose a box type profile frame; openable solar panels, forming a box, that are swivable into a plane of the upper side of the box so a cross-shaped arrangement of the solar panels is formed that may tilt about a horizontal axis on the profile frame; a box type profile frame arranged on its top side, as seen from above, a further square, box type frame, which contains a further solar panel and is connected to one top side of the

box type profile frame so that the further solar panel may be swiveled about a horizontal axis; on all sides of the square-at-top frame are connected, in a swiveling way, respective peripheral square frames each of same size and each containing a solar panel, so that a cube is formed from the five square frames when the five square frames are swiveled downwards, and that the peripherally connected square frames may be swiveled in the plane of the central square frame and can be locked against the central square frame in the swiveled condition, as recited in **claim 1**.

Pas discloses a mobile power station that may provide hot water. But the water needs to come from a public water supply network, or taken from rain water. The huge size of the device of Pas makes it impossible to use it in remote areas that are not easily accessible. It is indicated that the size of this device in ideal conditions is the size of a standard 20 ft to 40 ft container (see page 3, line 16-17). The solar panel surface is indicated as being  $24\text{m}^2$ , the water tank with a volume of 2'000 litres, the hydrogen tank with 5'000 litres at a pressure of 25bar (page 7, line 13-23). These components are big and heavy and, therefore, bulky so an easy transportation to a remote and underdeveloped region is barely possible, and the maintaining and operation of this installation on site is demanding and therefore not foolproof. In addition, Pas fails to disclose a box type profile frame; openable solar panels, forming a box, that are swivable into a plane of the upper side of the box so a cross-shaped arrangement of the solar panels is formed that may tilt about a horizontal axis on the profile frame; a box type profile frame arranged on its top side, as seen from above, a further square, box type frame, which contains a further solar panel and is connected to one top side of the box type profile frame so that the further solar panel may be swiveled about a horizontal axis; on all sides of the square-at-top frame are connected, in a swiveling way, respective peripheral square frames each of same size and each containing a solar panel, so that a cube is formed from the five square frames when the five square frames are swiveled downwards, and that the peripherally connected square frames may be swiveled in the plane of the central square frame and can be locked against the central square frame in the swiveled condition, as recited in **claim 1**.

Niederer only discloses a cube with solar panels that form the side walls and the top surface of the cube. However, Niederer fails to disclose a box type profile frame arranged on its top side, as seen from above, a further square, box type frame, which contains a further solar panel and is connected to one top side of the box type profile frame, as recited in **claim 1**.

For the reasons discussed above, none of Withjack, Pas, or Niederer discloses the features recited in claim 1. Therefore, **claim 1** and **claims 3 and 4**, which depend therefrom, are patentable over each of Withjack, Pas, and Niederer.

### CONCLUSION

For the foregoing reasons, it is submitted that the claims of the present application are in condition for allowance. Early notice thereof is respectfully requested.

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such fees, and/or credit any overpayments, incurred as a result of entering this amendment to Deposit Account No. 03-0172, Order No. 30887.04001.

Respectfully submitted,

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